IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CIVIL APPLICATION NO.4364 OF 2005
IN
FIRST APPEAL NO.1858 OF 2005

M/s.Samrat Sales Corporation & ors. Appellants
vs.
M/s.Mohan Breweries & Distillaries Ltd. Respondent

Mr.S.S.Voditel i/b.M/s.Utangale & Co. for the appellants.

Mr.K.R.Belosey for the respondent.

CORAM : R. M. LODHA &
A.S.BAGGA, JJ.

DATED : 27th June, 2006

P.C.

Heard the counsel for the appellants-applicants and the counsel for the respondent.

2. Having considered all aspects of the matter, we are of the view that the following order shall meet the ends of justice:

(i) Upon the applicants' depositing a sum of Rs.61,24,229.13 ps. with the VIIIth Adhoc Additional District Judge, Pune, within three months from today, the execution of the judgment and decree dated 10th December, 2004 in Special Civil Suit No.433/2000 shall remain

stayed.

(ii) The decree holder shall be at liberty to withdraw the amount so deposited by the applicants on furnishing Bank Guarantee.

(iii) If the decree holder-respondent does not furnish the Bank Guarantee within two months of the deposit by the applicants, the trial Court shall invest the said amount in Fixed Deposit of any Nationalised Bank initially for a period of two years, renewable thereafter for the same period each time, until disposal of the appeal.

. Civil application stands disposed of.

(R.M. LODHA,J.)

(A.S. BAGGA,J.)